

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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DUSTIN S. SOULEK, individually,  
and as representative of a Class of  
Participants and Beneficiaries, of  
the Costco 401(k) Retirement Plan;

Plaintiff,

Case No. 20-cv-937

v.

COSTCO WHOLESALE CORPORATION, *et al.*

Defendants

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**PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT**

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**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

Plaintiff Dustin S. Soulek, individually, and as representative of a Class of Participants and Beneficiaries of the Costco 401(k) Retirement Plan ("Plaintiff"), respectfully moves the Court to: (1) preliminarily approve the Parties' Class Action Settlement Agreement in the above-referenced matter; (2) approve the proposed Settlement Notices and authorize distribution of the Notices to the Settlement Class; (3) preliminarily certify the Settlement Class for settlement purposes; (4) schedule a final approval hearing; and (5) enter the accompanying Preliminary Approval Order.

This motion is made pursuant to Federal Rule of Civil Procedure 23(e) and is based on the accompanying Memorandum of Law and authorities cited therein, the

Declaration of Paul M. Secunda and exhibits attached thereto (including the Settlement Agreement attached as **Exhibit A**), the Declaration of Dustin S. Soulek, and all files, records, and proceedings in this matter. Defendants join in the relief requested by Plaintiff's Motion for Preliminary Approval of Settlement. However, Defendants do not agree with the averments, statements, allegations, and claims stated by Plaintiff in the Motion for Preliminary Approval of Settlement and the attached Exhibits.

Dated this 14th day of March, 2022

**WALCHESKE & LUZI, LLC**

s/ Paul M. Secunda

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*ATTORNEYS FOR PLAINTIFF*

### **CERTIFICATE OF SERVICE**

I hereby certify that on March 14, 2022, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Dated: March 14, 2022

s/Paul M. Secunda  
Paul M. Secunda